

PUBLIC NOTICE

Application for Freshwater Wetlands General Permits
and Averaging Plan
and Flood Hazard Area Verification and Individual Permit

February 8, 2010

Re: Application submitted by: Newark Academy
Project: Campus Improvements
Location: 91 South Orange Avenue
Block 6001, Lot 135
Township of Livingston, Essex County, New Jersey
CMX Project Number: 071022602

Dear Interested Party:

I am sending you this letter to inform you that I am submitting an application for certain permits or approvals to the New Jersey Department of Environmental Protection (NJDEP) under the *Freshwater Wetlands Protection Act rules*, N.J.A.C. 7:7A and the *Flood Hazard Area Control Act rules*, N.J.C.A. 7:13.

The wetlands General permit and Individual transition area waiver will authorize me to conduct regulated activities on the property within jurisdictional wetlands and their transition areas.

The NJDEP regulates construction within flood hazard areas and riparian zones adjacent to certain waters. This application is a request for NJDEP to verify the extent of these areas on the subject site. Additionally, a flood hazard area permit application will also be submitted to NJDEP for a project described on the attached form.

A flood hazard area permit required for this project because some or all of the work is proposed in a flood hazard area or in a riparian zone. Please refer to the attached map indicating the general location of my property and the attached form for project information.

I am applying for the following approval(s):

- Letter of interpretation (establishes the official boundary line of any regulated freshwater wetlands, open waters, or transition areas on the property, and if freshwater wetlands are present, identifies their resource value)
- General permit authorization (authorizes regulated activities, such as construction or development, in wetlands and adjacent transition areas)
- Individual transition area waiver (authorizes regulated activities, such as construction or development, in areas adjacent to wetlands)
- Individual freshwater wetlands permit (authorizes regulated activities, such as construction or development, in both wetlands and adjacent transition areas)
- Flood Hazard Area permit (authorizes regulated activities, such as construction or development, in streams and floodplains)
- Flood Hazard Area Verification (establishes the official boundary of the flood hazard area, floodway and riparian zone on a property)

The activities for which my application requests NJDEP approval are (I have checked all of those that apply):

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No regulated activities, just establishing where regulated wetlands floodplain, floodway and riparian zone (if any) are found on my property

Cutting or clearing of trees and/or other vegetation

Placement of pavement or other impervious surface

Placement of one or more buildings or other structures

Expansion of existing pavement, buildings, or other structures

Other (describe): This project involves certain improvements to the Newark Academy Campus, including building additions, parking lot expansions, athletic field improvements and stormwater management facilities.

If you would like to inspect a copy of my wetlands application, it is on file at the Municipal Clerk's Office in the town in which the property is located, or you can call the NJDEP at (609) 777-0456 to make an appointment to see my application at NJDEP offices in Trenton during normal business hours.

The rules governing freshwater wetlands permits and approvals are found in the NJDEP's *Freshwater Wetlands Protection Act rules* at N.J.A.C. 7:7A. The rules governing flood hazard area permits and approvals are found in the *Flood Hazard Area Control Act rules*, N.J.C.A. 7:13. You can view or download these rules on the NJDEP Land Use Regulation Program website at www.state.nj.us/dep/landuse, or you can find a copy of these rules in the county law library in your county courthouse.

As part of the NJDEP's review of my application, NJDEP personnel may visit my property, and the portion of any neighboring property that lies within 150 feet of my property line, to perform a site inspection. This site inspection will involve only a visual inspection and possibly minor soil borings using a 4" diameter hand auger. The inspection will not result in any damage to vegetation or to property improvements.

The NJDEP regulates construction within flood hazard area and riparian zones adjacent to certain waters. This application is a request for the NJDEP to verify the extent of these areas on the subject property. In addition, an application for a flood hazard area permit will also be submitted to the NJDEP for the project described on the attached application form. A flood hazard area permit is required for this project because some or all of the work is proposed in a flood hazard area or riparian zone.

The NJDEP welcomes any comments you may have on my application. If you wish to comment on my application, comments should be submitted to the NJDEP *in writing* along with a copy of the first page of the attached form within 15 days after you receive this letter. However, written comments will continue to be accepted until the NJDEP makes a decision on the application, but comments received after 15 days may not be able to be addressed by NJDEP. Comments cannot be accepted by telephone; however you can call (609) 292-0060 to obtain general information about the wetlands and flood hazard area programs or by visiting www.nj.gov/dep/landuse. Please submit any comments you may have *in writing, along with a copy of this letter and first page of the attached form*, to:

New Jersey Department of Environmental Protection



State of New Jersey
Department of Environmental Protection
 Division of Land Use Regulation Application Form (LURP-2)
 Division of Land Use Regulation
 501 E. State Street P.O. Box 439
 Trenton, NJ 08625-0439
 www.nj.gov/dep/landuse



PLEASE PRINT OR TYPE THE FOLLOWING: (Complete all sections unless otherwise noted)

- Applicant Name: Newark Academy Email: sgoldfischer@newarka.edu
 Address: 91 South Orange Avenue City: Livingston
 State: NJ Zip: 07039 Daytime Phone(973) 992-7000 Ext.: 310 Cell Phone: _____
- Agent Name: Douglas J. Chabrak Firm: CMX Email: dchabrak@cmxengineering.com
 Address: 20 Waterview Blvd. City: Parsippany
 State: NJ Zip: 07054 Daytime Phone(973) 299-7970 Ext.: 2103 Cell Phone: (908) 625-1616
- Property Owner Name: Newark Academy Email: sgoldfischer@newarka.edu
 Address: 91 South Orange Avenue City: Livingston
 State: NJ Zip: 07039 Daytime Phone: (973) 992-7000
- Project Name: Campus Improvements Site Location (Street Address): 91 South Orange Avenue
 Zip: 07039 Municipality: Livingston County: Essex
 Block(s): 6001 Lot(s): 135
 N.A.D. 1983 State Plane Coordinates (feet) 6 digits only: E (x): 531,014 N (y): 708,228
 Unnamed Tributary to Passaic River above Passaic R. Upr. Columbia
 Nearest Waterway: Passaic River Watershed: Pine Br. Subwatershed: RD to 40d45m
 Passaic R. Upr. Bnaover RR
 to Columbia Rd.
- Fees: Total Fee: \$17,636 Project Cost: _____ Check No: 82,932
- Project Description: This project includes improvements to Newark Academy.
This includes construction of new buildings, parking lot expansion, athletic field
improvements and stormwater management facilities.
- Application(s) for: Check all that apply (Please follow directions on page 5)

| | Application Type | Fee Amt | Amt Paid |
|-------------------------------------|--|---------|----------|
| | Flood Hazard Area | | |
| <input checked="" type="checkbox"/> | FHA Verification | \$5,700 | \$5,700 |
| <input checked="" type="checkbox"/> | FHA Individual Permit | \$4,000 | \$4,000 |
| <input type="checkbox"/> | FHAGP1 / Chan Clean w/o Sed Removal | No Fee | No Fee |
| <input type="checkbox"/> | FHAGP1 / Chan Clean w/Sed Removal | No Fee | No Fee |
| <input type="checkbox"/> | FHAGP2A / Ag - Bank Restoration | | |
| <input type="checkbox"/> | FHAGP2B / Ag - Channel Cleaning | | |
| <input type="checkbox"/> | FHAGP2C / Ag - Road Crossing | | |
| <input type="checkbox"/> | FHAGP2D / Ag - Wetlands Restoration | | |
| <input type="checkbox"/> | FHAGP2E / Ag - Livestock Ford | | |
| <input type="checkbox"/> | FHAGP2F / Ag - Livestock Fence | | |
| <input type="checkbox"/> | FHAGP2G / Ag - Livestock Water Intake | | |
| <input type="checkbox"/> | FHAGP3 / Bridge/Culvert Scour Protection | | |

| | Application Type | Fee Amt | Amt Paid |
|-------------------------------------|---------------------------------------|---------|----------|
| | Flood Hazard Area | | |
| <input type="checkbox"/> | FHAGP4 / Stormwater Maintenance | | |
| <input type="checkbox"/> | FHAGP5 / Building Relocation | | |
| <input type="checkbox"/> | FHAGP6 / Rebuild Damaged Home | No Fee | No Fee |
| <input type="checkbox"/> | FHAGP7 / Residential in Tidal FHA | | |
| <input type="checkbox"/> | FHAGP8 / Utility Crossing <50acres | | |
| <input type="checkbox"/> | FHAGP9 / Road Crossing <50acres | | |
| <input type="checkbox"/> | FHAGP10 / Stormwater Outfall <50acres | | |
| <input type="checkbox"/> | Revision of a GP, IP or Verification | | |
| <input type="checkbox"/> | Transfer of an Approval | | |
| | Stormwater Review Fees | | |
| <input checked="" type="checkbox"/> | Fee for all Stormwater Reviews | \$7,000 | \$7,000 |

Revised 12/18/2008

| | Application Type | Fee Amt | Amt Paid |
|--------------------------|---|---------|----------|
| | Applicability Determination | | |
| <input type="checkbox"/> | Coastal Jurisdictional Determination | No Fee | No Fee |
| <input type="checkbox"/> | Highlands Jurisdictional Determination | No Fee | No Fee |
| <input type="checkbox"/> | Flood Hazard Area Applicability | No Fee | No Fee |
| | CAFRA | | |
| <input type="checkbox"/> | Individual Permit | | |
| <input type="checkbox"/> | Exemption Request | | |
| <input type="checkbox"/> | Permit Modification | | |
| <input type="checkbox"/> | CAFGP5 / Amusement Pier Exp | | |
| <input type="checkbox"/> | CAFGP6 / Beach/Dune Maintenance | | |
| <input type="checkbox"/> | CAFGP7 / Voluntary Reconstruction | | |
| <input type="checkbox"/> | CAFGP8 / New Single Family or Duplex | | |
| <input type="checkbox"/> | CAFGP9 / Reconstruct Single Fam/Dup | | |
| <input type="checkbox"/> | CAFGP10 / New Bulkhead/Fill Lagoon | | |
| <input type="checkbox"/> | CAFGP11 / Revetment | | |
| <input type="checkbox"/> | CAFGP12 / Gablons | | |
| <input type="checkbox"/> | CAFGP13 / Support Facilities/ Marina | | |
| <input type="checkbox"/> | CAFGP14 / Reconst Bulkhead AMHWL | | |
| <input type="checkbox"/> | CAFGP15 / Hazard Waste Clean-up | | |
| <input type="checkbox"/> | CAFGP16 / Landfall of Utilities | | |
| <input type="checkbox"/> | CAFGP17 / Recreat Facility Public Park | | |
| <input type="checkbox"/> | CAFGP18/BulkheadConstruct/Fill upland | | |
| <input type="checkbox"/> | CAFGP21 / Shoreline Stabilization | | |
| <input type="checkbox"/> | CAFGP22 / Avian Nesting Structures | | |
| <input type="checkbox"/> | CAFGP23 / Electrical Sub Facility | | |
| <input type="checkbox"/> | CAFGP24 / Legalize Filling of Tidelands | | |
| <input type="checkbox"/> | CAFGP25 / Construct Telecom Tower | | |
| <input type="checkbox"/> | CAFGP26 / Tourism Ind Construction | | |
| <input type="checkbox"/> | CAFGP27 / Geotechnical Borings | | |
| <input type="checkbox"/> | CAFGP29 / Habitat Creation/Enhance | | |
| | Coastal/Tidal Wetlands | | |
| <input type="checkbox"/> | Coastal/Tidal Wetlands Permit | | |
| <input type="checkbox"/> | Coastal Wetland Permit Modification | | |
| | Waterfront Development | | |
| <input type="checkbox"/> | WDGP10 / New Bulkhead/Fill Lagoon | | |
| <input type="checkbox"/> | WDGP14 / Reconstruct Bulkhead | | |
| <input type="checkbox"/> | WDGP19/Dock/Piers, Boat Lifts Lagoon | | |
| <input type="checkbox"/> | WDGP20 / Minor Maint Dredge Lagoon | | |
| <input type="checkbox"/> | WDGP21 / Shoreline Stabilization | | |
| <input type="checkbox"/> | Individual Permit/Upland | | |
| <input type="checkbox"/> | Individual Permit/Inwater | | |
| <input type="checkbox"/> | Zane Letter | | |
| <input type="checkbox"/> | Modification | | |
| | Highlands | | |
| <input type="checkbox"/> | Emergency Permit | | |
| <input type="checkbox"/> | Pre-application Meeting | | |
| <input type="checkbox"/> | Preservation Area Approval | | |
| <input type="checkbox"/> | PAA with Waiver | | |
| <input type="checkbox"/> | Resource Area Determination footprint | | |
| <input type="checkbox"/> | Resource Area Determination <acre | | |
| <input type="checkbox"/> | Resource Area Determination >acre | | |
| <input type="checkbox"/> | HPAAGP 1/ Habitat Creation/Enhance | | |
| <input type="checkbox"/> | HPAAGP 2 Bank Stabilization | | |

| | Application Type | Fee Amt | Amt Paid |
|-------------------------------------|--------------------------------------|---------|----------|
| | Freshwater Wetlands | | |
| <input checked="" type="checkbox"/> | FWGP1 / Main. & repair Exist Feature | \$600 | \$450 |
| <input type="checkbox"/> | FWGP2 / Utility Crossing | | |
| <input type="checkbox"/> | FWGP3 / Discharge of Return Water | | |
| <input type="checkbox"/> | FWGP4 / Hazard Site Invest/Cleanup | | |
| <input type="checkbox"/> | FWGP5 / Landfill Closure | | |
| <input type="checkbox"/> | FWGP6 / Filling of NSWC | | |
| <input type="checkbox"/> | FWGP6A /TA- Filling of NSWC | | |
| <input type="checkbox"/> | FWGP7 / Fill ditch / swale | | |
| <input type="checkbox"/> | FWGP8 / House Addition | | |
| <input type="checkbox"/> | FWGP9 / Airport Sightline Clearing | | |
| <input type="checkbox"/> | FWGP10A / Very Minor Road Crossing | | |
| <input type="checkbox"/> | FWGP10B / Minor Road Crossing | | |
| <input type="checkbox"/> | FWGP11 / Outfalls / Intakes | | |
| <input type="checkbox"/> | FWGP12 / Survey / Investigation | | |
| <input type="checkbox"/> | FWGP13 / Lake Dredging | | |
| <input type="checkbox"/> | FWGP14 / Water Monitoring | | |
| <input type="checkbox"/> | FWGP15 / Mosquito Control | | |
| <input type="checkbox"/> | FWGP16 / Habitat Create / Enhance | No Fee | No Fee |
| <input type="checkbox"/> | FWGP17 / Trails / Boardwalks | | |
| <input type="checkbox"/> | FWGP17A / Multiuse paths | | |
| <input type="checkbox"/> | FWGP18 / Dam Repairs | | |
| <input type="checkbox"/> | FWGP19 / Dock or Pier | | |
| <input type="checkbox"/> | FWGP20 / Bank Stabilization | | |
| <input type="checkbox"/> | FWGP21 / Above Ground Utility | | |
| <input type="checkbox"/> | FWGP23 / Expand Cranberry | | |
| <input type="checkbox"/> | FWGP24 / Spring Developments | | |
| <input type="checkbox"/> | FWGP25 / Malfunction Septic System | No Fee | No Fee |
| <input type="checkbox"/> | FWGP26 / Channel / Stream Clean | | |
| <input type="checkbox"/> | FWGP27 / Redevelop Disturbed Site | | |
| <input type="checkbox"/> | FWGP Modification | | |
| <input type="checkbox"/> | Individual Wetlands Permit | | |
| <input type="checkbox"/> | Individual Open Water Permit | | |
| <input type="checkbox"/> | Individual Permit Modification | | |
| <input type="checkbox"/> | Wetlands Exemption | | |
| | Letter of Interpretation | | |
| <input type="checkbox"/> | Presence Absence | | |
| <input type="checkbox"/> | Presence Absence Footprint | | |
| <input type="checkbox"/> | Delineation | | |
| <input type="checkbox"/> | Verification | | |
| <input type="checkbox"/> | Extension | | |
| | Transition Area Waiver | | |
| <input checked="" type="checkbox"/> | Averaging Plan | \$648 | \$486 |
| <input type="checkbox"/> | Reduction | | |
| <input type="checkbox"/> | Hardship Reduction | | |
| <input type="checkbox"/> | Special Activity Stormwater | | |
| <input type="checkbox"/> | Special Activity Linear Development | | |
| <input type="checkbox"/> | Special Activity Redevelopment | | |
| <input type="checkbox"/> | Special Activity Individual Permit | | |
| <input type="checkbox"/> | Exemption | | |
| <input type="checkbox"/> | Modification | | |
| | Consistency Determination | | |
| <input type="checkbox"/> | Water Quality Certificate | | |

Both the Applicant and Property owner's section must be filled out for all Land Use Regulation Applications

A. APPLICANT SIGNATURE

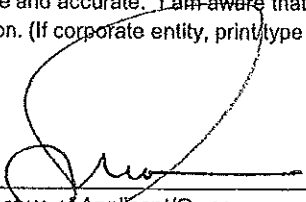
I certify under penalty of law that the information provided in this document is true and accurate. I am aware that there are significant civil and criminal penalties for submitting false or inaccurate information. (If corporate entity, print/type the name and title of person signing on behalf of the corporate entity.)

Signature of Applicant/Owner

Date

Print Name

Print Address



Signature of Applicant/Owner
2/18/10

Date
Sam Goldfisher

Print Name
Newark Academy
91 South Orange Avenue

Print Address Livingston, NJ 07039

B. PROPERTY OWNER'S CERTIFICATION

I hereby certify that the undersigned is the owner of the property upon which the proposed work is to be done. This endorsement is certification that the owner grants permission for the conduct of the proposed activity. In addition, I hereby give unconditional written consent to allow access to the site by representatives or agents of the Department for the purpose of conducting a site inspection or survey of the project site.

In addition, the undersigned property owner hereby certifies:

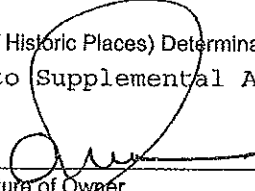
1. Whether any work is to be done within an easement – Yes: No:
2. Whether any part of the entire project (e.g., pipeline, roadway, cable, transmission line, structure, etc.) will be located within property belonging to the State of New Jersey-Yes: No:
3. Whether any work is to be done on any property owned by any public agency that would be encumbered by Green Acres – Yes: No:
4. Whether any part of this project requires a Section 106(National Register of Historic Places) Determination as part of a federal permit or approval – Yes: No: * Please refer to Supplemental Attachment

Signature of Owner

Date

Print Name

Print Address



Signature of Owner
2/18/10

Date
Sam Goldfisher

Print Name
Newark Academy
91 South Orange Avenue

Print Address Livingston, NJ 07039

C. **APPLICANT'S AGENT**

NOTE: Notary seal is required for Flood Hazard Area (SEA) applications.

I Sam Goldfischer, the Applicant/Owner, authorize to act as my agent/representative in all matters pertaining to my application the following person:

Name Douglas J. Chabrak

Occupation/Profession Professional Wetland Scientist / Consultant

(Signature of Applicant/Owner)

ANNETTE BRENNAN
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 11/16/2011

AGENT'S CERTIFICATION
Sworn before me this day of

12-18 2010

Annette Brennan
Notary Public

I agree to serve as agent for the above mentioned applicant

[Signature]
(Signature of Agent)

D. **STATEMENT OF PREPARER OF PLANS, SPECIFICATIONS, SURVEYOR'S OR ENGINEER'S REPORT**

I hereby certify that the plans, specifications and engineer's report, if any, applicable to this project comply with the current rules and regulations of the New Jersey Department of Environmental Protection with the exceptions as noted. In addition, I certify the application is complete as per the appropriate checklist(s).

[Signature]
Signature

Mario Iannelli 2/23/10
Type: Name and Date

Sr. Project Manager / CMX
Position, Name of Firm

E. **STATEMENT OF PREPARER OF APPLICATION, REPORTS AND/OR SUPPORTING DOCUMENTS (other than engineering)**

I certify under penalty of law that I have personally examined the information submitted in the document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate and complete in accordance with the appropriate checklist(s). I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

[Signature]
Signature

Douglas J. Chabrak 2/23/10
Type: Name and Date

Project Manager / CMX
Position, Name of Firm

Please note: In addition to the standard paper submission, an electronic copy of the entire application, including plans, may be submitted on CDROM to assist the Department in the review this application. Plans should be submitted as a CAD file or Shapefile, referenced in NJ state plane feet NAD83. Please do NOT send the electronic version via E-Mail.